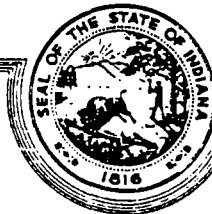


STATE OF INDIANA



INDIANAPOLIS, 46206

AIR POLLUTION CONTROL BOARD  
1330 WEST MICHIGAN STREET  
P.O. BOX 1964

C.M. #529850

May 3, 1985

VIA CERTIFIED MAIL

Mr. Thomas L. Mattix, Esquire  
Kunz & Kunz  
320 North Meridian Street  
Suite 528  
Indianapolis, IN 46204

EPA Region 5 Records Ctr.



294570

Dear Mr. Mattix:

Re: Air Pollution Control Board  
vs.  
Casco Mineral Wool, Division of  
L. C. Cassidy & Son, Inc.

This is to advise you that the Air Pollution Control Board of the State of Indiana took the following action at its meeting on May 1, 1985.

The Findings of Fact and Recommended Order in the matter of the Air Pollution Control Board of the State of Indiana vs. Casco Mineral Wool, a division of L. C. Cassidy & Son, Inc., which was signed by Raymond J. Barkhow on behalf of L. C. Cassidy & Son, Inc., was considered.

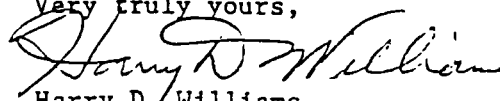
The Board adopted the following resolution:

"RESOLVED, That the Board adopt the Findings of Fact and Recommended Order in the matter of L. C. Cassidy & Son, Inc., and issue the Consent Decree."

A copy of the signed Consent Decree is enclosed. The civil penalty is due within thirty (30) days after you receive the approved Consent Decree. Payments should be made to the Environmental Management Special Fund and sent to the above address to the attention of the cashier.

Dated at Indianapolis, Indiana, this 2<sup>nd</sup> day of May, 1985.

Very truly yours,

  
Harry D. Williams  
Technical Secretary

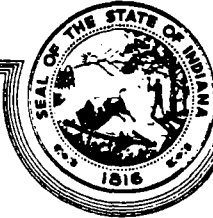
Enclosure

cc: Wabash County Health Department  
Larry Kertcher, U.S. EPA, Region V  
Robert K. Johnson, Deputy Attorney General

12-5

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# STATE OF INDIANA



INDIANAPOLIS

OFFICES OF ATTORNEY GENERAL

LINLEY E. PEARSON, ATTORNEY GENERAL

219 STATE HOUSE

46204

STATE OF INDIANA        )  
                              ) SS: BEFORE THE INDIANA AIR POLLUTION  
COUNTY OF MARION        ) CONTROL BOARD

IN THE MATTER OF THE:

AIR POLLUTION CONTROL BOARD  
OF THE STATE OF INDIANA,

Petitioner,

v.

CASCO MINERAL WOOL, A Division  
of L.C. CASSIDY AND SON, INC.,

Respondent.

CAUSE NO. A-366

## CONSENT DECREE

Come now the parties to this cause and, being desirous of settling and compromising this action without hearing or adjudication of any issue of fact or law, hereby consent to the following Findings and Order. The evidence and admissions herein are between the parties only, and shall not constitute evidence or admissions for use by any non-party third person.

## FINDINGS OF FACT

NOW, THEREFORE, upon the consent of the parties hereto, the following FINDINGS are made:

1. The Petitioner is the Air Pollution Control Board of the State of Indiana (hereinafter referred to as "Board"), an agency of the State of Indiana duly empowered pursuant to IC

126  
13-7 and the rules duly promulgated thereunder to determine whether or not there is a violation of such laws or rules and to issue Orders with respect thereto as it deems proper.

2. Respondent is a company authorized to do business in Indiana, and operates a place of business at 655 LaFontaine Avenue, Wabash, Indiana.

3. The Board has jurisdiction over both the subject matter and the parties to this action.

4. Pursuant to IC 13-7-11 and IC 4-22-1-6, Notice of Violation was served upon:

Casco Mineral Wool  
655 LaFontaine Avenue  
Wabash, IN 46992

5. Pursuant to 325 IAC 6-4-2(4), it is a violation of fugitive dust emissions limits if fugitive dust is visible crossing the boundary or property line of a source.

6. On or about August 30, 1984, an inspector from the Air Pollution Control Division observed fugitive emissions emanating from Respondent's plant and crossing the boundary or property line of the plant. The emissions were of a type consistent with Respondent's mineral wool operation, and at least some of the emissions landed in a residential area approximately 500 feet from the plant.

#### ORDER

WHEREFORE, based upon the above Findings and upon the consent of the parties, it is hereby ORDERED that:

1. Respondent shall create and retain a record on the temperature sensitive switch for the multicclone fan. Said record shall indicate time, date and duration each time the fan switches off. This record shall be maintained for a period of two years and shall be made available to Air Pollution Control Division staff upon request.

2. Respondent shall initiate an inspection and maintenance schedule for all air pollution control equipment.

3. Respondent shall inform the plant staff of inspection and maintenance schedules and procedures.

4. Respondent shall maintain all air pollution control

equipment in good operating condition.

5. Respondent shall immediately report any and all malfunctions lasting more than one hour to the Air Pollution Control Division.

6. Respondent shall, within thirty (30) days of receipt of the Order, pay a five hundred dollar (\$500.00) civil penalty. Payment should be made to the Environmental Management Special Fund, 1330 West Michigan Street, Indianapolis, Indiana 46206.

7. The provisions of this Order apply to the Respondent, its agents, servants, employees, successors, and assigns, and to all persons, firms, or corporations acting through or for the Respondent.

8. This Order has no force or effect until it is approved by the Board, and timely compliance with the terms of this Order shall constitute a final resolution of this cause.

9. Respondent, by the duly authorized undersigned, hereby consents to the provisions of this Findings and Order and agrees to be bound by said Order when issued by the Board.

TECHNICAL RECOMMENDATION

CASCO MINERAL WOOL, A Division  
of L.C. CASSIDY AND SONS, INC.

BY: E. F. Stresino  
Edgar F. Stresino  
Chief, Enforcement  
Branch

BY: [Signature]  
TITLE: Treasurer

DATE: February 26, 1985

DATE: 3/20/85

APPROVED FOR LEGALITY AND FORM

ATTEST

LINLEY E. PEARSON  
Attorney General of Indiana

By: Robert K. Johnson  
Robert K. Johnson  
Deputy Attorney General

BY: Thomas L. Mattix  
Thomas L. Mattix  
Attorney for Respondent

DATE: 3/20/85

DATE: April 1, 1985

INDIANA AIR POLLUTION CONTROL BOARD

BY: Harry D. Williams  
Harry D. Williams  
Technical Secretary

DATE: 2 May 85